

**IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION**

**CONSOLIDATED INDUSTRIES, LLC  
d/b/a WEATHER KING PORTABLE  
BUILDINGS,**

**Plaintiff,**

**v.**

**JESSE A. MAUPIN, BARRY D.  
HARRELL, ADRIAN S. HARROD,  
LOGAN C. FEAGIN, STEPHANIE L.  
GILLESPIE, RYAN E. BROWN, DANIEL  
J. HERSHBERGER, BRIAN L. LASSEN,  
ALEYNA LASSEN, and AMERICAN  
BARN CO., LLC,**

**Defendants.**

**Civil Action No. 1:22-cv-01230-STA-jay**

**Chief Judge S. Thomas Anderson**

**PLAINTIFF'S MOTION TO COMPEL  
SUPPLEMENTATION OF DISCOVERY RESPONSES**

Pursuant to Fed. R. Civ. P. 37, Plaintiff respectfully requests that the Court compel Defendants to cure deficiencies in their written discovery responses through supplementation. Specifically, Plaintiff requests that the Court direct each of the Defendants to supplement the following discovery responses:

Defendant Jesse Maupin

Interrogatory Nos. 3-6 & 13-14

Request for Production Nos. 27 & 33

Defendant Barry Harrell

Interrogatory Nos. 3, 7, & 11-12

Request for Production Nos. 26, 30, & 32

Defendant Adrian Harrod

Interrogatory Nos. 3-5 & 10-12

Request for Production Nos. 24 & 30

Defendant Logan Feagin

Interrogatory Nos. 4 & 10-11

Request for Production Nos. 24, 27, & 30

Defendant Stephanie Gillespie

Interrogatory Nos. 3-4 & 10-11

Request for Production Nos. 24 & 30

Defendant Ryan Brown

Interrogatory Nos. 10, & 11

Request for Production Nos. 7, 24, & 30

Defendant Daniel Hershberger

Interrogatory Nos. 4-5 & 10-11

Request for Production Nos. 6, 24, & 30

Defendant Brian Lassen

Interrogatory Nos. 10-11

Request for Production Nos. 24 & 30

Defendant Aleyna Lassen

Interrogatory Nos. 10-11

Request for Production Nos. 24 & 30

Defendant American Barn Co., LLC (“ABCO”)

Interrogatory Nos. 3-10, 12, & 15

Request for Production Nos. 10, 32, & 34-35

In support of this motion, Plaintiff has filed herewith a memorandum of law, as well as the following exhibits:

1. Excerpts of Defendant Maupin's written discovery responses, filed herewith as Exhibit 1;
2. Excerpts of Defendant Harrell's written discovery responses, filed herewith as Exhibit 2;
3. Excerpts of Defendant Harrod's written discovery responses, filed herewith as Exhibit 3;
4. Excerpts of Defendant Feagin's written discovery responses, filed herewith as Exhibit 4;
5. Excerpts of Defendant Gillespie's written discovery responses, filed herewith as Exhibit 5;
6. Excerpts of Defendant Brown's written discovery responses, filed herewith as Exhibit 6;
7. Excerpts of Defendant Hershberger's written discovery responses, filed herewith as Exhibit 7;
8. Excerpts of Defendant Brian Lassen's written discovery responses, filed herewith as Exhibit 8;
9. Excerpts of Defendant Aleyna Lassen's written discovery responses, filed herewith as Exhibit 9;
10. Excerpts of ABCO's written discovery responses, filed herewith as Exhibit 10;

11. May 5, 2023 letter from Defendants' counsel, filed herewith as Exhibit 11;
12. Defendant Maupin's First Supplemental Responses to Plaintiff's written discovery, filed herewith as Exhibit 12;
13. ABCO's First Supplemental Responses to Plaintiff's written discovery, filed herewith as Exhibit 13;
14. Financial documents (redacted) produced by ABCO, Bates-stamped AMERICANBARN-000059 & -000061, filed herewith as Exhibit 14;
15. Defendant Harrell's First Supplemental Responses to Plaintiff's written discovery, filed herewith as Exhibit 15;
16. Email produced by Defendant Brown, Bates-stamped REBROWN000347, filed herewith as Exhibit 16;
17. April 19, 2023 letter from Plaintiff's counsel, filed herewith as Exhibit 17;
18. April 14, 2023 letter from Defendants' counsel, filed herewith as Exhibit 18; and
19. Excerpts of Plaintiff's written discovery to ABCO, filed herewith as Exhibit 19.

In accordance with Local Rule 7.2(d), Plaintiff further requests that the Court schedule an in-person hearing for consideration of Plaintiff's motion. Plaintiff respectfully submits that such a hearing is warranted given the number of discovery items in dispute and the complexity of the issues involved.

Respectfully submitted,

BUTLER SNOW LLP

/s/ David L. Johnson

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Attorneys for Plaintiff

**CERTIFICATE OF COUNSEL**

In accordance with Local Rule 7.2(a)(1)(B), I, counsel for Plaintiff certify that the parties' counsel have conferred about the relief requested in this motion but were unable to reach accord. Specifically, after conferring with Attorney Thomas Pasternak in writing about deficiencies in Defendants' discovery responses by letters dated March 24, 2023, April 14, 2023, April 19, 2023, and May 5, 2023, as well as by email correspondence, Attorney John Dollarhide and I had a phone conference with Mr. Pasternak about these issues on May 1, 2023.

/s/ David L. Johnson

David L. Johnson

**CERTIFICATE OF SERVICE**

I hereby certify that on May 24, 2023, I filed the foregoing with the Court using the ECF system, which will provide notice and a copy to counsel of record:

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Attorneys for Defendants

/s/ David L. Johnson  
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